



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	19 October 2023
Licensing Ref No:	23/04048/LIPV - Premises Licence Variation
Title of Report:	Foodwise Express 6 Norfolk Place London W2 1QN
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Roxsana Haq Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	15 June 2023		
Applicant:	Mr Asif Gul		
Premises:	Foodwise Express		
Premises address:	6 Norfolk Place London W2 1QN	Ward:	Hyde Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises operates as a retail shop with an off-sales licence.		
Variation description:	This application proposes to vary the permitted terminal hour for the sale of alcohol to midnight on Monday to Saturday. There will be no change on Sundays.		
Premises licence history:	The premises has had the benefit of a premises licence since 2022. The current premises licence (22/11673/LIPVM) can be viewed at Appendix 2 of this report along with the premises licence history at Appendix 3 .		
Applicant submissions:	A witness statement from the applicant and area map, along with mediation emails between the two objecting parties and the applicant can be seen at Appendix 1 .		
Applicant amendments:	None.		

1-B	Current and proposed licensable activities, areas and hours
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Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Off sales		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	08:00	00:00	Ground floor shop as shown on plans on licence at Appendix 1.	No change
Tuesday	08:00	23:00	08:00	00:00		
Wednesday	08:00	23:00	08:00	00:00		
Thursday	08:00	23:00	08:00	00:00		
Friday	08:00	23:00	08:00	00:00		
Saturday	08:00	23:00	08:00	00:00		
Sunday	10:00	22:30	10:00	22:30		
Seasonal variations/ Non-standard timings:	Current:			Proposed:		
	N/A			N/A		

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	08:00	00:00	Ground floor shop as shown on plans on licence at Appendix 1.	No change
Tuesday	08:00	23:00	08:00	00:00		
Wednesday	08:00	23:00	08:00	00:00		
Thursday	08:00	23:00	08:00	00:00		
Friday	08:00	23:00	08:00	00:00		
Saturday	08:00	23:00	08:00	00:00		
Sunday	08:00	22:30	10:00	22:30		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

1-C	Layout alteration
No change in layout is sought.	

1-D	Conditions being varied, added or removed		
Condition		Proposed variation	
N/A		N/A	
Adult entertainment:		Current position:	Proposed position:
		None.	None.

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Environmental Health
Representative:	Kudzy Mondhlani
Received:	11 July 2023

6 Norfolk Place, W2 1QN

I refer to the application for a Premises Licence variation. This premises benefits from a current premises licence reference 22/05879/LIPRW. This representation is based on the application form provided.

The applicant is seeking the following variation to the permitted terminal hours for the sale of alcohol

From providing the supply of alcohol 'On' and 'Off' the premises Monday to Saturday: between 08:00 to 23:00 hours.

To

Provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 08.00 and 00.00 hours.

I wish to make the following representations in relation to the above application:

1. The supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area and may also impact on public safety.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may also impact on public safety in the area.

EH conditions may be proposed to uphold the licensing objectives. Should you wish to discuss the matter further please do not hesitate to contact me.

2-B	Other Persons
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	16 June 2023
I would like to support this application. As a resident and it's my local shop.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	16 June 2023
I am supporting this application as a resident. It's convenient for me and very helpful having food wise express in our community.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	30 June 2023
Nice shop well run and extra hours shouldn't affect us and will be a convenient place for our tourists to visit	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 June 2023
I am supporting this application. I am resident and it's my convenient local store.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	13 July 2023
I am local resident. Since Mr Gul opened foodwise express last i and my friends benefited from it. Well run family business. They care about customers. Im supporting this application. Please grant Mr Asif Gul extended hours licence.	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	13 July 2023
I support him because he is amazing, his store is amazing for me.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	13 July 2023
I am supporting this application. As this is my local store. Mr Gul is a wonderful man. Please grant this application licence as I will and local community will benefit from it.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 June 2023
I support this lovely shop as a neighbour living here for 1 year. I go regularly and love the selection of things to buy, it is very convenient.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	20 June 2023
Great to have it nearby.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	12 July 2023
As a resident i would like to support this application, very good neighbour and service, please grant this application license as this will benefit me and local community.	

Name: [REDACTED] rza

Address and/or Residents Association: [REDACTED]
[REDACTED]
[REDACTED]

Received: 16 June 2023

I support this application as Asif and his store are valuable contributions to the local community.
This is the best convenience store in the area, well stocked and with friendly staff.
I think the area will benefit if this store is granted extra time to remain open.
Best,
[REDACTED]

Name: [REDACTED]

Address and/or Residents Association: [REDACTED]
[REDACTED]
[REDACTED]

Received: 17 June 2023

As a resident I am in support of this application. Its a convenient for me to do my daily shopping. They also have ATM machine and payzone to top up my electric and gas. Since foodwise express opened it help the community.

Name: [REDACTED]

Address and/or Residents Association: [REDACTED]
[REDACTED]
[REDACTED]

Received: 16 June 2023

I am in support of this application, foodwise express provides quality service since they been open. They are credit to this community.

Name: [REDACTED]

Address and/or Residents Association: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Received: 25 June 2023

I support Mr a Gul application to extend his licence hours at foodwise express. I confirm that foodwise express operates business responsibly and that I have no concerns whatsoever about any additional crime or nuisance caused by his proposals. In fact I believe the area will benefit from an improvement if the additional hours are granted.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	16 June 2023

I support this application for a few reasons:

1. This family run a few shops in the area. They support me and my family. Once my son left my debit card in the shop, the owner went out of his way to keep hold of it for me. They are kind and helpful, always friendly. Sometimes in this area it feels a bit transient. This family are here, invested in our area and providing a service for us.
2. These shops are essential for those of us with kids to pop out and get milk/bread etc. Sometimes I need to go out late if I realise I forgot to sort breakfast out for example.
3. I know they put local residents at the heart of what they do. If I needed something they would make sure it was in stock the next day.
4. I have been past late at night and there isn't any trouble caused by this shop.
5. Most of the drinkers in the area are visitors from elsewhere given the cultural and religious make up of our static population. People on holidays should have a shop open late to get what they need, imagine your flight arrives late and everywhere is closed...
6. I think it's important that WCC is an open and vibrant city. We choose to live here because it's busy and exciting, it's a bit embarrassing that all our shops and bars close so early.
7. Of course the shop is opposite a home for older people, so needs to make sure it doesn't contribute to noise etc, but there haven't been any issues I've been aware of.
8. It's incredibly important to support smaller businesses. Otherwise Tesco can just take over the world! Why not support a young man making his way and setting up a business?! I hope he makes a good honest living from his shop, and is supported by WCC to do so.

Further submission received on 02 October 2023:

I'm a member of ██████████ and wasn't consulted, the objection is solely of one ██████████. Sick of ██████████ getting in the way of progress for our area. ██████ voice is a sole voice and a conservative, backwards one at that. This is plainly not a residential area - it's a tourist area, many hotels, hospitality etc.
 HYPeR, the other association I belong to does not appear to have been consulted either.
 Thanks

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	12 July 2023

I am in support of Mr Gul application for to extend license hours.

I've known Mr Gul now for 1 year and I'm amazed by his professionalism and good character.

I strongly believe that Mr Gul will continue to promote the licensing objectives during the additional hours.

I'm a local resident, Since Mr Gul opened foodwise express last there hasn't been any sort of trouble. Please grant Mr Gul extended hour so that I and the local community will benefit from it.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	02 July 2023
As a resident I would like to support Mr Asif Gul application for midnight extended hour. I truly believe this convenience to all local and tourist. I don't think there will be an extra trouble coursed. Please grant this application.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	04 July 2023
I am resident and i would like to support Mr Asif Gul applications for to extend licensing hours. Please grant Mr gul extended licence hour. I believe foodwise express will continue it's positive contribution to our neighbourhood for a longer period.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	10 July 2023
I am local resident i am supporting mr asif gul application to extend his licence hour. This is my local shop, the hours i work its very suitable for me and my family to go shopping at foodwise express. Granting mr gul licence hour would not increase any nuisance and crimes. Its good for the community and tourist. There aunt many shops about open till late.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 June 2023
I am a manager at Sussex fish bar on London Street (W2 1HL) I am supporting this application as it'll help the community with their needs.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	18 June 2023
I am an employee at food wise express, I'm 18 and I was struggling to find a job and food wise express gave me an opportunity to work there which was a turning point in my life. In my time spent here I've been able to improve my communication skill. providing excellent customer service and helping the local community.	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	03 July 2023
<p>I am writing to support Mr Asif Gul licence application to extend the licence hours. I am local resident, I'm an old man I find it difficult to walk far. Foodwise express is very close to my flat and its convenient store. Since Mr Gul opened Foodwise express last year he made big change contributing back to this community. Since Mr Gul been here I never notice any sorts of issues or troubles.</p> <p>Please grant Mr Gul licence.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	16 June 2023
<p>As a resident that is near to this establishment, I would like to support this application.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 June 2023
<p>As a resident I am in support of this application. They been here since last year and I had no issue</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 June 2023
<p>I am in support of this application as a resident. Its a very convenient store</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	23 June 2023
<p>As a resident I'm writing to support the licence application to extend the licensed hours at 6 Norfolk place. I live locally. I am confident the business will continue to promote the licensing objectives during the additional hours. The business has operated sympathetically alongside the local neighbourhood since opening last year. I would welcome a decision to grant later operational hour.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	12 July 2023

Dear Licensing Committee

I am a [REDACTED], quite nearby to Foodwise Local a family business that serves a range of goods including an important place to top up energy cards for those of us on Pay As You Go.

The trend for all retail to move online and towards convenience delivery is a challenge to small stores.

This small store needs to be able to compete by being able to take orders online and have them delivered including alcohol. All the big stores have it.

I support this small business being allowed to deliver alcohol and am confident they already run a tight ship in terms of their license obligations to City of Westminster.

Please take this letter as my wholehearted support for this application.

[REDACTED]

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	22 June 2023

As a resident i am supporting this application, Food Wise Express is a very friendly shop. Mr Gul's is a very friendly business owner who supported many of us during Covid. It a pleasure to have their licence extended.

Many of us need a last-minute fruit, water, vegetables etc. Food wise express is always there for us with a kind smile.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17 June 2023

I am in support of this application because it is a convenient store and it is close to my residence and it has an ATM machine. They also do utility top up as well.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 June 2023
This is my local shop, always a friendly service and sometimes i need to grab items late at night. Thank You	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	12 July 2023
I support this application in request for a licence extension. It will be beneficial for the neighbouring businesses and hotels.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	20 June 2023
As a neighbour I'm supporting this application. As it's my local convenient store. Lovely staff well managed.	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	23 June 2023
Please register my support for Mr Gul's application to slightly extend his licence hours at 6 Norfolk Place.	
Mr Gul is a friendly and professional business owner who has successfully integrated himself into our local community. He provides a welcome service to the local area. I firmly believe that him staying open a little later will help continue this valuable community service and also provide a helpful supervisory presence to deter crime and antisocial behaviour later in the evening.	
I confirm that he operates his business responsibly and that I have no concerns whatsoever about any additional crime or nuisance caused by his proposals. In fact, I genuinely believe the area will benefit from an improvement if the additional hours are granted.	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED]
Received:	12 July 2023

TO WHOM IT MAY CONCERN

As a local business owner and resident I wish to register my wholehearted support for the above application.

I was an active supporter of Mr Asif Gul in his application for a licence to sell alcohol in his shop and I am pleased to say his presence has only added value to the neighbourhood as I knew it would.

People of such good character and kindness are too few and far between in life, let alone in Paddington and I strongly urge you to approve of his latest application; such hard working, upstanding business people should be encouraged.

I would be one of the many locals taking advantage of the extended hours.

Name:	[REDACTED]
Address and/or Residents Association:	SEBRA
Received:	10 July 2023

Dear Sirs

I am writing on behalf of the South East Bayswater Residents' Association (SEBRA) to make a relevant representation strongly objecting to this licence variation application on the basis of the likely impact on the licensing objective of 'prevention of public nuisance'.

Introduction

SEBRA was formed in 1970 and works to protect the special character of the W2 area. A non-profit, non party-political, voluntary organisation, we represent more than 1,000 people. SEBRA is consulted by Westminster Council on both major developments and all Council activities which affect the daily lives of residents.

As a recognised amenity society we often engage in consultations with licence applicants both before and during the application process and note that we have not been contacted by the applicant in this case.

Background

The premises are situated in in a residential and commercial area with shops, restaurants and hotels along Norfolk Place with flats above.

The surrounding area is mostly residential, particularly Star Street, St Michael's Street and adjoining Mews with some smaller budget hotels in Norfolk Square opposite.

SEBRA's position

We strongly object to this application, which is to extend hours of 'off sales' of alcohol to midnight Monday to Saturday.

The proposed longer hours are totally against Westminster Council Policy for 'off sales' of alcohol for 'off licence' and 'mini markets' etc.

If these premises were to obtain a later hour for 'off sales' it would open floodgates to other premises to apply to sell alcohol more than the Council's Core Hours policy.

In this particular application, the premises are also situated very close to an area of recognised street drinking and begging particularly in and around Praed Street and Paddington Station.

The premises are situated opposite Norfolk Square where there is a history of young people sitting and drinking on the steps of the small budget hotels or even, illegally, congregating and drinking and making a nuisance in the Council's garden of Norfolk Square, after the garden has closed at dusk.

Conclusion

SEBRA strongly object to this variation of hours

We reserve the right to make further comments, proposals or conditions.

Yours sincerely

██████████

██████████

South East Bayswater Residents' Association (SEBRA)

██

██████████

Name:	████████████████████
Address and/or Residents Association:	Hyde Park Estate Association
Received:	10 July 2023

As the recognised local amenity group, the Hyde Park Estate Association would like to strongly object to the above application to vary the hours for the sale alcohol.

This application is to extend the sale of alcohol: Mon to Sat inclusive 08.00 hours to 00.00 hours (midnight). Sunday unchanged. This is an extension of one more hour every evening from 23.00 hours to 00.00 hours. This application for extended hours is unprecedented as far as we can recall there are no retail sales in this area that have an alcohol licence beyond 23.00 hours. It would set a precedent.

As you will note this area is mainly a residential - one albeit a few other commercial shops. However, anyone who lives locally knows the off licence closes at 23.00 hours and therefore if they wish to purchase alcohol know they have to be there by 23.00 hours.

Therefore, it is our view this would seem likely to become a destination point for non-locals,

hotel visitors, rough sleepers, late night commuters etc. for the sale of alcohol. WCC are aware; as we are about the potential noise that is caused from the sale of late night alcohol and off course with the usual issues of ASB that already exist in this area.

HPEA believe extending this licence to midnight 00.00 will be detrimental to the licensing objectives. Especially: Prevention of crime and disorder; public safety and prevention of public nuisance. It is a difficult task keeping the balancing act keeping both commercial and residential happy. We believe the terminal hour presently of 23.00 hours meets this balance. To extend it beyond this hour would in our view be detrimental to that balance.

We see no possible advantage for a one hour extension to midnight - other than to offer off-sales to non locals as stated above - which we believe would be detrimental to the local residential area and would be against Westminster's Licensing Objectives.

We are happy to note Sebra Objections and agree entirely with their comments.

3.	Policy & Guidance
The following policies within the City of Westminster Statement of Licensing Policy apply:	
Hours Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding

	<p>Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>11a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>11b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p>Shops Policy SHP1 applies</p>	<p>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Late-night Refreshment Delivery Service Policy DEL1. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C. <p>C. For the purposes of this policy:</p> <ol style="list-style-type: none"> 1. A shop is defined as a stall, vehicle, vessel, temporary structure,

	<p>building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.</p> <p>2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop.</p> <p>3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.</p>
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4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5.	Appendices
Appendix 1	Applicant supporting documents
Appendix 2	Current Premises Licence
Appendix 3	Premises History
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Roxsana Haq Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	1 st October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health Representation	11 July 2023
5	Interested Party 1	16 June 2023
6	Interested Party 2	16 June 2023
7	Interested Party 3	30 June 2023
8	Interested Party 4	17 June 2023
9	Interested Party 5	13 July 2023
10	Interested Party 6	13 July 2023
11	Interested Party 7	13 July 2023
12	Interested Party 8	17 June 2023
13	Interested Party 9	20 June 2023
14	Interested Party 10	12 July 2023
15	Interested Party 11	16 June 2023
16	Interested Party 12	17 June 2023
17	Interested Party 13	16 June 2023
18	Interested Party 14	25 June 2023
19	Interested Party 15	16 June 2023
20	Interested Party 16	12 July 2023
21	Interested Party 17	02 July 2023
22	Interested Party 18	04 July 2023
23	Interested Party 19	10 July 2023
24	Interested Party 20	17 June 2023
25	Interested Party 21	18 June 2023
26	Interested Party 22	03 July 2023
27	Interested Party 23	16 June 2023
28	Interested Party 24	17 June 2023
29	Interested Party 25	17 June 2023
30	Interested Party 26	23 June 2023
31	Interested Party 27	12 July 2023
32	Interested Party 28	22 June 2023
33	Interested Party 29	17 June 2023
34	Interested Party 30	17 June 2023
35	Interested Party 31	12 July 2023
36	Interested Party 32	20 June 2023
37	Interested Party 33	23 June 2023
38	Interested Party 34	12 July 2023
39	Interested Party 35	10 July 2023
40	Interested Party 36	10 July 2023

Applicant Supporting Documents

Appendix 1

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Foodwise Express 6 Norfolk Place 23/04048/LIPV
Date: 04 August 2023 09:41:26

Jack

Thanks for the update.

I have already met your client, last time at the premises but more than happy to meet him again but our position on this application remains the same.

All the best.

[REDACTED]
SEBRA
[REDACTED]

On Thu, 27 Jul 2023, 07:50 Jack Spiegler, <JSpiegler@tandtp.com> wrote:

Dear [REDACTED]

I hope that this email finds you both well.

We act for Mr Asif Gul in respect of his premises licence application.

Thank you for taking the time to comment on his proposals.

I wanted to update you on the status of the application following the expiry of the consultation period.

The application has received approximately 36 representations in support from local residents and businesses. There are no objections from individual local residents. The only representations against the proposals are from you both and a standard representation from the Environmental Health Consultation Team.

As you may know, Mr Gul is an Afghan refugee hoping to provide for his family in his new business. He has established himself as a popular local businessman with a proven track record under his premises licence and extended hours under TENs. He is committed to operating professionally and providing a responsibly managed community shop.

Please let me know if you would like to meet Mr Gul or discuss the application further with me.

Thank you for your consideration.

Best wishes

Jack

Jack Spiegler

Partner

Thomas & Thomas Partners LLP

38a Monmouth Street

London WC2H 9EP

M: 07720 975272

D: 020 7042 0413

T: 020 7042 0410

E: jspiegler@tandtp.com

W: <https://www.tandtp.com/home.html>

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IN THE MATTER OF LICENSING ACT 2003

AND IN THE MATTER OF 6 NORFOLK PLACE, LONDON W2 1QN

AND IN THE MATTER OF AN APPLICATION TO VARY PREMISES LICENCE REF: 23/04048/LIPV

WITNESS STATEMENT OF ASIF GUL

I ASIF GUL of 6 NORFOLK PLACE, LONDON W2 1QN will says as follows:

1. I am the owner of my shop situated at 6 Norfolk Place, London W2 1QN. I make this witness statement in support of my application to vary the premises licence. The application proposes to extend the permitted hours for the sale of alcohol from 11pm to midnight on Monday to Saturday.

Introduction

2. I am grateful for the opportunity to explain some of my personal background in this witness statement. Various events in my life have been key factors in forming the person that I am today. I hope that by explaining some of my history I can reassure members of the Westminster City Council Licensing Sub-Committee that I am a person that can be trusted to operate my shop professionally and responsibly alongside my neighbours, particularly during the later hours. In doing so, I not only hope to continue to provide for my family and employees, but also provide a valued community shop and proactive presence to help improve the local area.

Personal Background

3. I was born on [REDACTED] in Mazar Sharif, Afghanistan. My father was an officer in the Afghan army. My mother looked after me and my brother and sister at home.
4. In 1996, when I was 7, the Taliban began taking control of Afghanistan. My father had to leave our family home suddenly after being identified as a target by the Taliban. I remember the

Taliban breaking down our front door and raiding our house in pursuit of my father after he had left.

5. We did not hear from my father for several months. My mother decided to move us to Pakistan. She thought we would all be safer in Pakistan and have a better chance of finding my father.
6. When we moved to Pakistan my mother could still not find our father. We had no way of telling whether he was dead or alive. My mother had no work experience. She had only ever looked after us at home. She began begging on the streets in Pakistan to get money to feed us, which was usually only ever one meal a day.
7. I cannot remember exactly when, but at some stage a doctor and his family helped my mother by giving her a housekeeping job. The doctor and his family then helped track down my father who had made it safely to the UK. A few months after that, we were able to find a safe way to fly to the United Kingdom and arrived as asylum seekers on 21 August 1999.
8. I went to school in Edgware for a short time. Unfortunately, I had a very hard time in school and ended up dropping out when I was 12. I then went to help my Uncle in his fish and chip shop "Mickey's", which is located just down the road from my shop at 29 Norfolk Place W2 1QH.
9. I was eventually fortunate enough, and extremely grateful, to become a British citizen in 2005.
10. A few years later I obtained my private hire driver PCO licence in 2013. I worked as an Uber driver until 2017 before obtaining my heavy goods vehicle driving licence in 2017. I later passed various checks and security clearances to work as a fuel tanker driver and worked during the Covid-19 pandemic delivering fuel on night shifts.
11. My father and I both caught Covid-19 in early 2020. We both developed serious symptoms and were treated on the same ward in Luton and Dunstable University Hospital. Sadly, my

father died of Covid-19 on 5 April 2020. I was fortunate to survive, although it took about one year to properly recover from the illness with associated damage to my lungs.

12. The UK has given so much to me and my family. The country provided us with a safe home in 1999 and the NHS saved my life in 2020. I looked for ways to repay the country for its kindness. I decided to volunteer as a special constable with the Metropolitan Police. I completed some initial checks and training but unfortunately failed the fitness medical due to the lung damage caused by Covid-19.

My Shop at 6 Norfolk Place

13. I am focussed on being a good citizen and responsible community-minded business owner. Part of this process involved obtaining my personal licence and gaining work experience in my Uncle's shop located across the road on Star Street at 7 Norfolk Place. After that, in 2022, I committed to a 10-year lease for 6 Norfolk Place and spent my life savings on refurbishment works and money saved for stock outlay.
14. The shop is now my only source of income to support my young family. My wife and I have a young daughter and two sons.
15. I was not able to afford any employees during the first few months of trading in 2022. I continue to work in the shop every day for about 15 hours a day seven days a week. As business picked up I was able to start employing 2 people to help run the shop. Having undertaken the personal licence training myself, I have been able to ensure these employees are trained. However I remain the main person that works in the shop every day from open until close.
16. My shop sells the local community a broad product range, including fresh meats, dairy, baked goods, groceries, non-alcoholic drinks, cereals, traditional food products popular with community groups in the area, basic hardware items, and a premium alcohol range. I do not sell cheap price alcohol. The carefully selected range of alcoholic drinks are for my customers to enjoy at home.

Representations

17. I remain very grateful to the Licensing Sub-Committee for granting my premises licence on 21 April 2022. The original application attracted about 19 letters of support and about 13 objections from members of the local community, Environmental Health and the Southeast Bayswater Residents' Association. I am pleased that my current application to vary the licence has received about 36 letters of support from local people and no objections at all from local residents living in the area.

18. My solicitor contacted [REDACTED] of the Southeast Bayswater Residents' Association and [REDACTED] of the Hyde Park Estate Association on 27 July 2023. No response was received from the Hyde Park Estate Association. Mr Zamit replied and very kindly agreed to meet me at my shop on 9 August 2023. We had a friendly meeting but I understand that [REDACTED] [REDACTED] has decided to maintain his objection.

19. I hope that the lack of local resident objections and overwhelming support demonstrates that I have worked hard to integrate myself into the local community and run my business professionally alongside local neighbours. I remain committed to being a responsible licensee and providing the community with a valued local business. I am confident I can maintain this commitment during the additional hours.

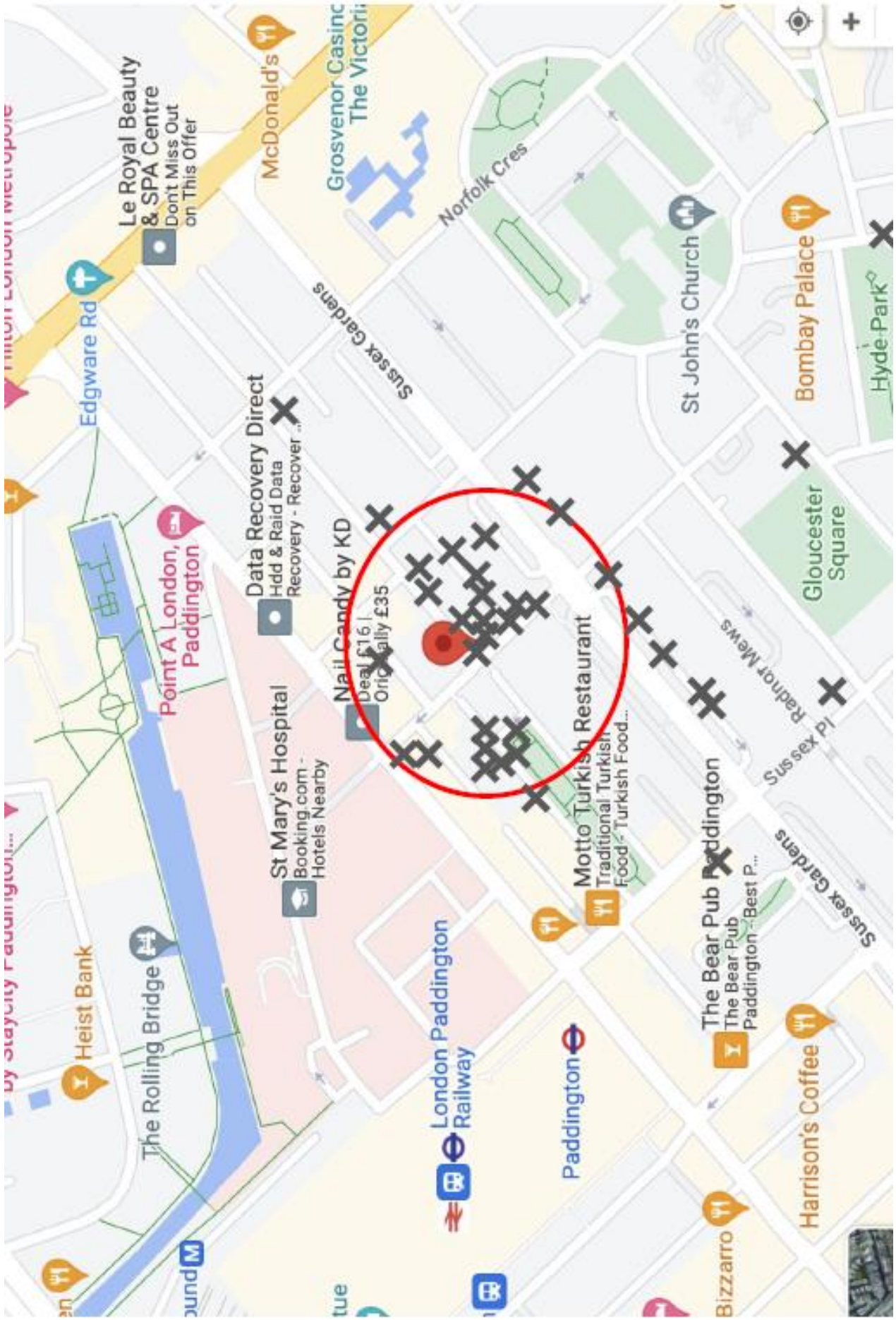
STATEMENT OF TRUTH

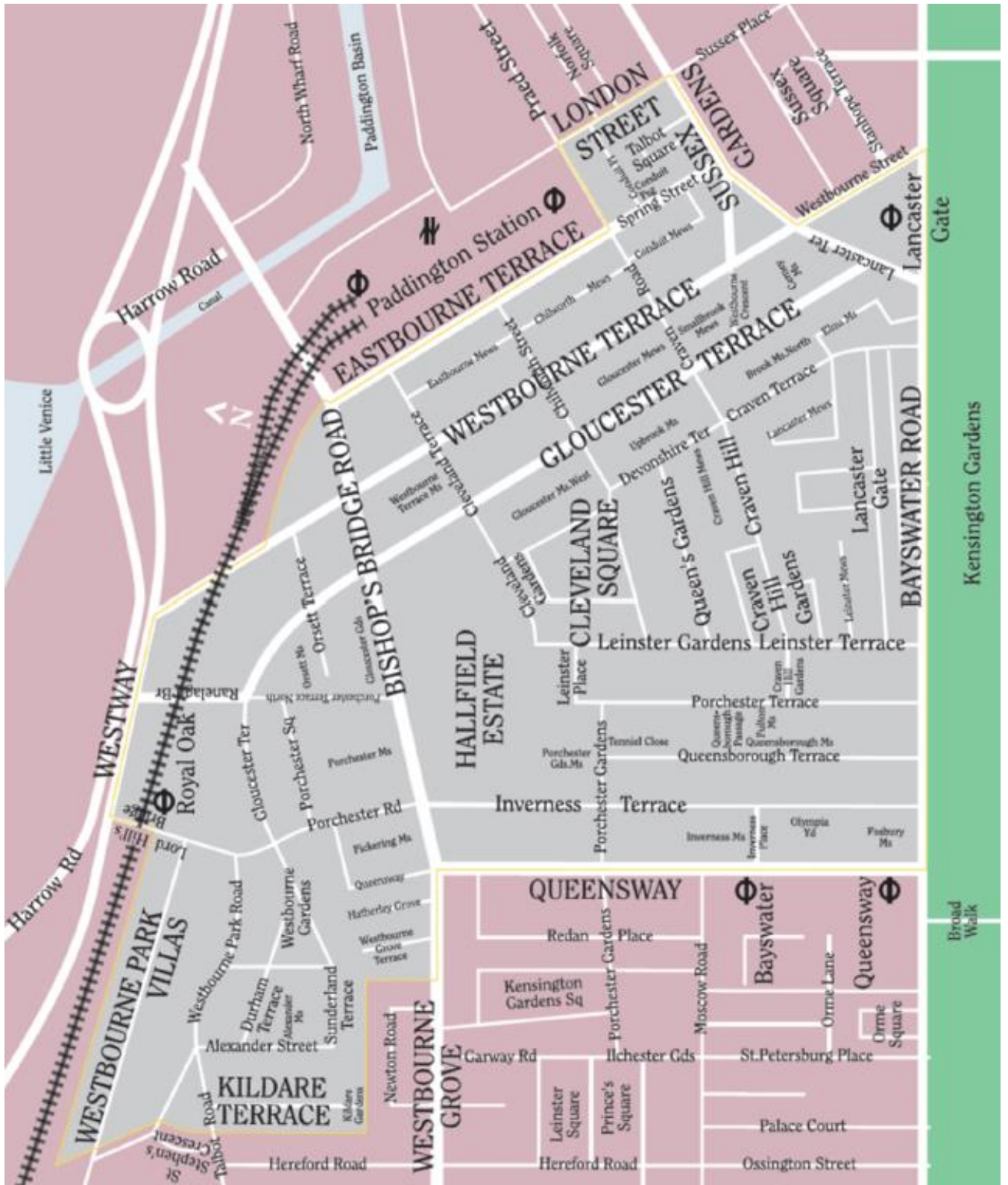
I believe that the facts and matters stated in this witness statement are true.

Signed:

ASIF GUL

Date: 10 October 2023





Current Premises Licence

Appendix 2



Schedule 12
Part A

WARD: Hyde Park
UPRN: 100023476896

City of Westminster
64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

22/11673/LIPVM

Original Reference:

22/00890/LIPN

Part 1 – Premises details

Postal address of premises:

Foodwise Express
6 Norfolk Place
London
W2 1QN

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol

Monday to Saturday: 08:00 to 23:00
Sunday: 10:00 to 22:30

The opening hours of the premises:

Monday to Saturday: 08:00 to 23:00
Sunday: 08:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Asif Gul

Please note: It is the policy of the Licensing Authority not to display the address details of a licence holder where that is an individual

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Mr Asif Gul

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: 180755

Licensing Authority: Luton Borough Council

Date: 06 October 2023

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

- 5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

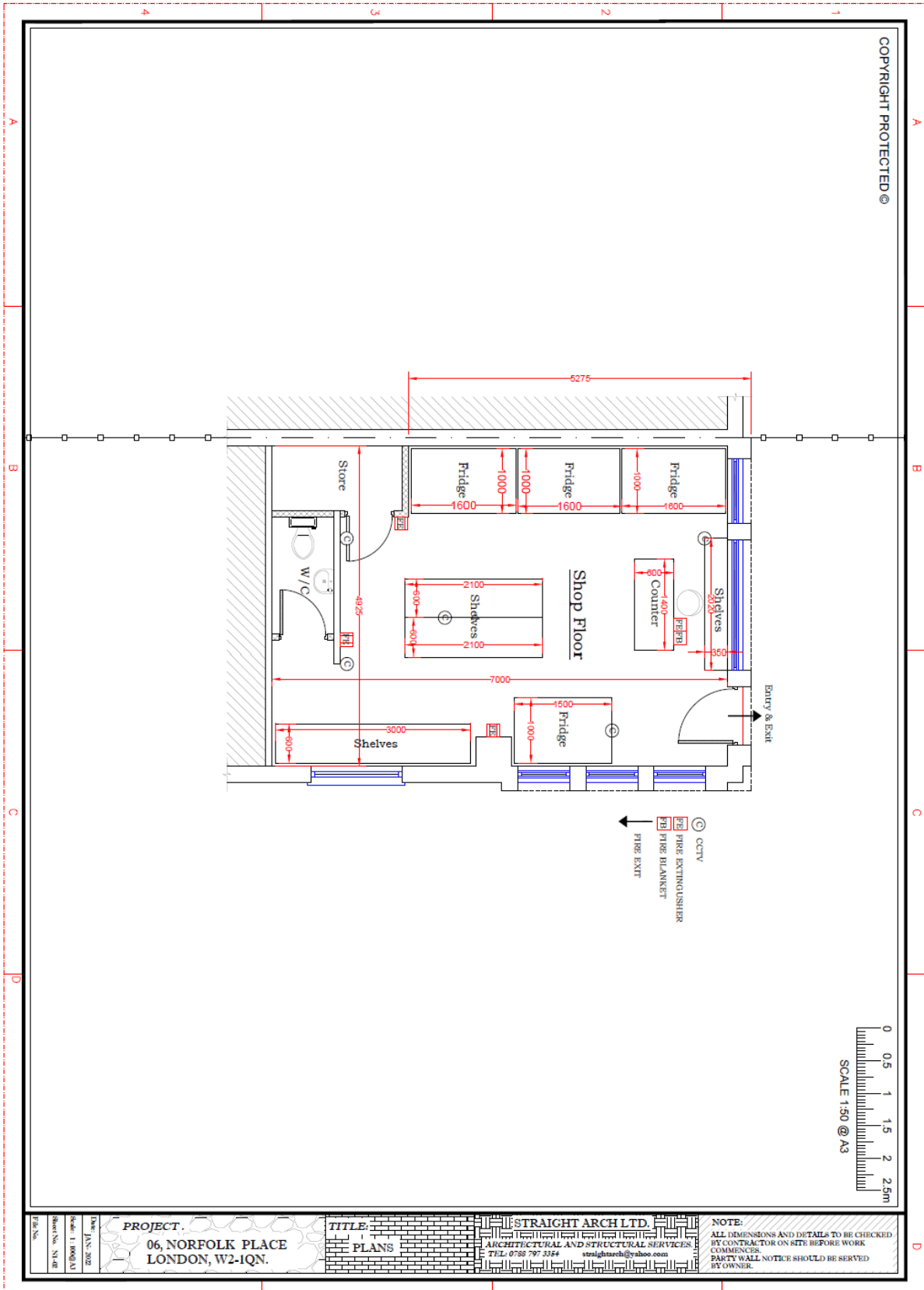
None

Annex 3 – Conditions attached after a hearing by the licensing authority

6.
 - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
9. Should the premises ever trade after 23:00 (22:30 Sundays) or before 8am. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store-room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
10. No super-strength beer, lagers, ciders, or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
11. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
12. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
13. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
14. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

16. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
17. All serving staff shall receive training in the sale of alcohol as set out in the 2003 Licensing Act prior to starting employment and receive refresher training at 6 monthly intervals. They will sign a training record confirm the above. All training records shall be available for inspection upon request by the Responsible Authorities.
18. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale. Conditions proposed by the Environmental Health Service and agreed by the applicant to form part of the operating schedule.
19. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
22. Deliveries to the premises shall only take place between 08:00 and 22:00 hours.
23. Prominent, clear and legible notices must be displayed at all exits requesting staff and couriers to respect the needs of local residents and to leave the premises and the area quietly.
24. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
26. All serving staff shall receive training in the responsible sale of alcohol and the restrictions on the sale of alcohol to intoxicated persons prior to starting employment and receive refresher training at 6 Months intervals. They will sign a training record confirm the above. All training records shall be available for inspection upon request by the Responsible Authorities

Annex 4 – Plans



DATE: JAN. 2022
 Scale: 1:150 @ A3
 Sheet No. N1-01
 P/B No.

PROJECT:
 06, NORFOLK PLACE
 LONDON, W2-1QN.

TITLE:
 PLANS

STRAIGHT ARCH LTD.
 ARCHITECTURAL AND STRUCTURAL SERVICES
 TEL: 0758 797 2344
 straightarch@starch.co.uk

NOTE:
 ALL DIMENSIONS AND DETAILS TO BE CHECKED BY CONTRACTOR ON SITE BEFORE WORK COMMENCES.
 PARTY WALL NOTICE SHOULD BE SERVED BY OWNER.

COPYRIGHT PROTECTED ©



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: Hyde Park
UPRN: 100023476896

Premises licence
summary

Regulation 33, 34

Premises licence number:

22/11673/LIPVM

Part 1 – Premises details

Postal address of premises:

Foodwise Express
6 Norfolk Place
London
W2 1QN

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

The opening hours of the premises:

Monday to Saturday:	08:00 to 23:00
Sunday:	08:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Name and (registered) address of holder of premises licence:

Mr Asif Gul

Please note: It is the policy of the Licensing Authority not to display the address details of a licence holder where that is an individual

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Mr Asif Gul

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 06 October 2023

This licence has been authorised by by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
22/00890/LIPN	New premise licence application	21.04.2022	Granted by Licensing Sub-Committee
22/05879/LIPRW	Remove works condition	09.06.2022	Granted under delegated authority
22/11673/LIPVM	<p>Following consultation with the Responsible Authorities, the application proposes to replace existing condition 26.</p> <p>“No miniature bottles of spirits of 20 cl or below shall be sold from the Premises”</p> <p>with the following additional condition:</p> <p>26. All serving staff shall receive training in the responsible sale of alcohol and the restrictions on the sale of alcohol to intoxicated persons prior to starting employment and receive refresher training at 6 monthly intervals. They will sign a training record confirm the above. All training records shall be available for inspection upon request by the Responsible Authorities.</p> <p>The application does not propose any changes to the permitted licensable activities, hours or other conditions.</p>	22.12.2022	Granted under delegated authority

There is no appeal history

Temporary Event Notice history

Application	Details of Application	Date of event	Decision
23/05512/LITENP	Late TEN to extend alcohol sale for 1 hour each day.	26.08.2023 to 28.08.2023	Refused
23/02459/LITENP	TEN to extend alcohol sale for 1 hour each day	04.05.2023 to 06.05.2023	Event permitted to proceed
22/12011/LITENP	TEN to extend alcohol sale for 1 hour each day	29.12.2022 to 31.12.2022	Event permitted to proceed
22/11943/LITENP	TEN to extend alcohol sale for 1 hour each day	23.12.2022 to 24.12.2022	Event permitted to proceed
22/11739/LITENP	TEN to extend alcohol sale for 1 hour each day	15.12.2022 to 17.12.2022	Event permitted to proceed
22/11603/LITENP	TEN to extend alcohol sale for 1 hour each day	09.12.2022 to 10.12.2022	Event permitted to proceed
22/11383/LITENP	TEN to extend alcohol sale for 1 hour each day	01.12.2022 to 03.12.2022	Event permitted to proceed

Appendix 4

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

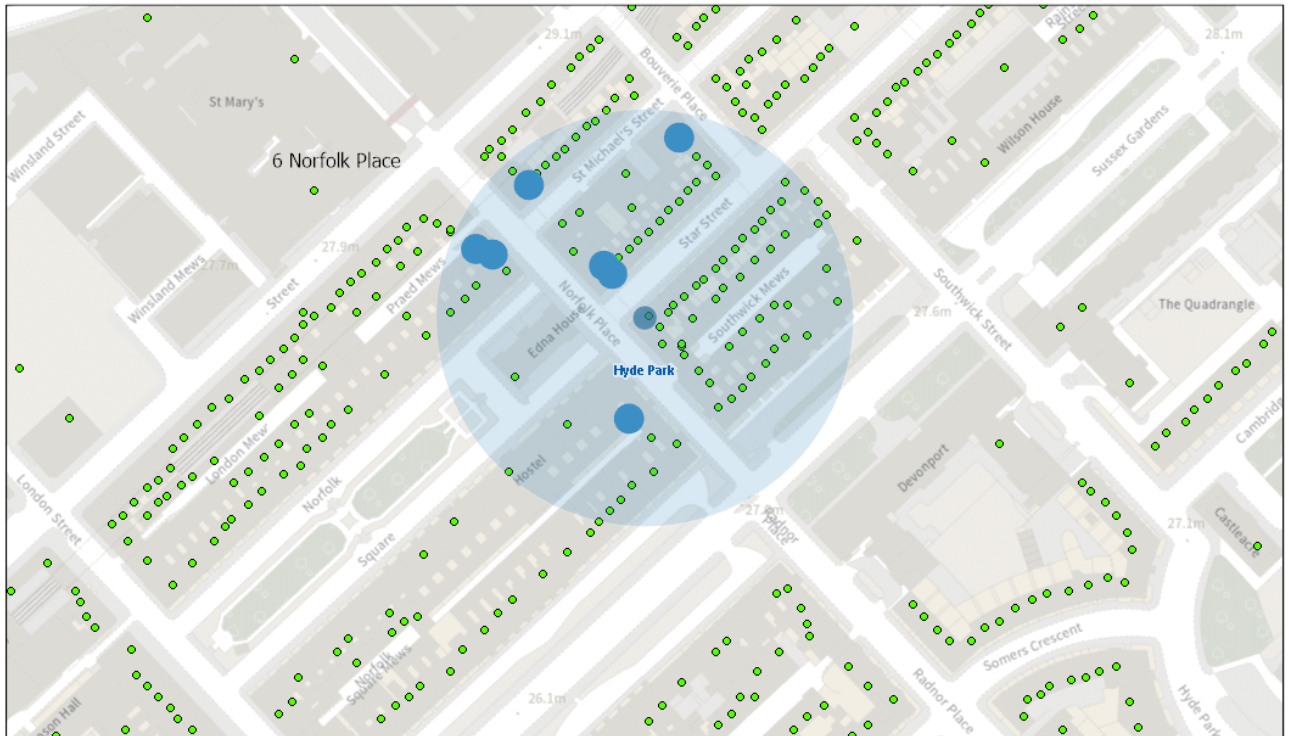
None

Annex 3 – Conditions attached after a hearing by the licensing authority.

6.
 - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
9. Should the premises ever trade after 23:00 (22:30 Sundays) or before 8am. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store-room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
10. No super-strength beer, lagers, ciders, or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
11. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
12. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
13. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
14. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

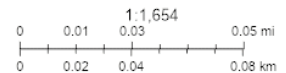
16. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
17. All serving staff shall receive training in the sale of alcohol as set out in the 2003 Licensing Act prior to starting employment and receive refresher training at 6 monthly intervals. They will sign a training record confirm the above. All training records shall be available for inspection upon request by the Responsible Authorities.
18. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale. Conditions proposed by the Environmental Health Service and agreed by the applicant to form part of the operating schedule.
19. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
22. Deliveries to the premises shall only take place between 08:00 and 22:00 hours.
23. Prominent, clear and legible notices must be displayed at all exits requesting staff and couriers to respect the needs of local residents and to leave the premises and the area quietly.
24. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
26. All serving staff shall receive training in the responsible sale of alcohol and the restrictions on the sale of alcohol to intoxicated persons prior to starting employment and receive refresher training at 6 Months intervals. They will sign a training record confirm the above. All training records shall be available for inspection upon request by the Responsible Authorities

6 Norfolk Place London W2 1QN



04/04/2022, 15:33:06

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident Count: 249

Licensed Premise within 75 metres of 6 Norfolk Place, London W2 1QN				
Licence Number	Trading Name	Address	Premises Type	Time Period
08/09088/LIPD	Khan Traders	7 Norfolk Place London W2 1QL	Shop	Monday to Sunday; 08:00 - 23:00
06/11400/WCCMAP	Indian Connoisseur Restaurant	8 Norfolk Place London W2 1QL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30

16/04547/LIPRW	Norfolk Towers Hotel	34 Norfolk Place London W2 1QW	Hotel, 3 star or under	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30 Monday to Sunday; 00:00 - 00:00
06/11511/WCCMAP	Ryath Indian Restaurant	32 Norfolk Place London W2 1QH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
06/11481/WCCMAP	The Frontline Restaurant	13 Norfolk Place London W2 1QJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/11494/LIPDPS	Ground Floor	31 Norfolk Place London W2 1QH	Shop (large)	Monday to Sunday; 06:00 - 22:00
15/07297/LIPN	Sir Alexander Fleming Public House	16 Bouverie Place London W2 1RB	Public house or pub restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00